

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

JUUL LABS, INC.,

Plaintiff,

v.

**THE UNINCORPORATED ASSOCIATIONS
IDENTIFIED IN SCHEDULE A,**

Defendants.

Civil Action No. 1:18-cv-00715-LO-IDD

**PLAINTIFF’S MEMORANDUM IN SUPPORT OF *EX PARTE* MOTION TO
EXTEND THE TEMPORARY RESTRAINING ORDER**

Pursuant to Rule 65(b)(2) of the Federal Rules of Civil Procedure and the Court’s inherent power to effectuate its own orders, Plaintiff Juul Labs, Inc., (“Plaintiff” or “JLI”), seeks to extend the Temporary Restraining Order granted and entered by the Court on June 7, 2019 (the “TRO”) [D.I. 22] and scheduled to expire on June 21, 2019, for a period of fourteen (14) days until July 5, 2019.

On June 7, 2019, this Court entered the TRO against the Defendants identified on Schedule A to the Verified Complaint [D.I. 22]. Since receiving the TRO, Plaintiff’s Counsel has been working diligently to ensure compliance with its terms by PayPal. *See* Declaration of Monica Riva Talley (the “Talley Decl.”) at ¶ 4.

On June 13, 2019, Plaintiff received its requested discovery from PayPal and a confirmation from PayPal that it had frozen the subject Defendant PayPal accounts. Talley Decl., ¶ 5. Using the information from PayPal, as well as the shipping information received from

Defendants, Plaintiff is diligently attempting to find physical locations for each of the Defendants to effectuate service. Talley Decl., ¶ 6. Plaintiff expects to complete this process no later than June 28, 2019. Once completed, Plaintiff intends file an Amended Complaint listing the defendants and file summons for each of the Defendants with the Court. Plaintiff will then attempt to effectuate service on the Defendants at the identified physical locations.

Rule 65(b)(2) states that a temporary restraining order entered without notice may be extended provided a party can show, prior to expiration of the order, good cause for such an extension. Fed. R. Civ. P. 65(b)(2). Plaintiff respectfully submits that there is good cause to extend the TRO, since there is a high probability that the Defendants will continue to harm Plaintiff without the TRO in place. Specifically, Defendants will likely attempt to move any assets from their financial accounts to other accounts, potentially outside of this Court's jurisdiction. As discussed in Plaintiff's Memorandum in Support of its *Ex Parte* Motion for Entry of a Temporary Restraining Order, and as found by the Court in granting the TRO, this possibility of harm is significant. In addition, Plaintiff needs this additional time to locate and effectuate service on the Defendants. Accordingly, in the interest of justice, Plaintiff submits that extension of the TRO is necessary. In light of the above, Plaintiff respectfully requests that the TRO scheduled to expire on June 21, 2019 be extended for a period of fourteen (14) days until July 5, 2019.

Date: June 14, 2019

Respectfully submitted,

/s/ Monica Riva Talley

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